

REMARKS

With this response, claims 15, 16 and 20-22 are amended. Claims 1-14, 18, 19 and 23 are cancelled. Claims 24-27 are added. Therefore, claims 15-17, 20-22 and 24-27 are pending.

REJECTIONS UNDER 35 U.S.C. § 101

Claims 15-17 and 20-22 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

The Office Action on page 2 asserts that claims 15-17 and 20 are directed towards non-statutory subject matter for failing to be tied to a particular machine or apparatus. Applicants point out that independent claims 15, and thus dependent claims 16, 17 and 20, recite operations to be executed via a master processor and a plurality of slave processors. Thus, Applicants contend that claims 15-17 and 20 are clearly tied to a machine or apparatus, and respectfully request the withdrawal of this rejection.

The Office Action on page 2 asserts that claims 21 and 22 may be read to include carrier waves, and thus are directed towards non-statutory subject matter. Applicants have amended these claims to recite a “non-transitory storage medium,” which may not include carrier waves. Therefore, Applicants contend that claims 21 and 22 are directed towards statutory subject matter and respectfully request the withdrawal of this rejection.

REJECTIONS UNDER Han and Kamath

Claims 15-17 and 20-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by “Mining Frequent Patterns without Candidate Generation: A Frequent-Pattern Tree Approach” by Han et al. (hereinafter Han).

Applicants point out that independent claims 15 and 21 as amended recite assigning, via a master processor, each branch of a FP-tree to one of a plurality of slave processors, each of the plurality of slave processors to execute transaction items identified by the respective branch, wherein the number of transactions to be executed by each of the plurality of slave processors is substantially equal, **the identified transaction items for each branch to be executed independently** (i.e., the transactions to be executed by each one processor is independent from transactions to be executed by another processor).

The Office Action on page 8 acknowledges that Han fails to disclose a master processor, a plurality of slave processors, and operations directed towards assigning transactions to said slave processors. Thus, Applicants contend that the 102(e) rejection of the independent claims is moot in light of the amendments to the independent claims.

The Office Action on page 8 cites U.S. Patent No. 7,007,035 of Kamath et al (hereinafter Kamath) to disclose master and slave processors. Applicants respectfully contend that the independent claims as amended are not rendered obvious by the above references for at least the following reason: the references, alone and in combination, fail to disclose or suggest at least one feature of the invention as recited in the amended independent claims.

As mentioned above, Han fails to disclose assigning transactions to a plurality of slave processors. The Office Action cites col. 5 line 64 – col. 6 line 1 Kamath to disclose distributing transactions to a plurality of slave processors. Applicants point out that col. 5 lines 64-65 disclose only uniformly partitioning transactions to processors, and that Kamath contains no disclosures directed towards ensuring the transactions to be executed by each one processor is independent from transactions to be executed by another processor. Thus, Kamath cannot be

cited to cure the defects of Han, and no combination of these references supports a rejection of independent claims 15 and 21.

Each of claims 16, 17, 20 and 22 depends from one of the independent claims discussed above. Per MPEP § 2143.03, claims that depend from nonobvious independent claims are likewise nonobvious over the references.

New independent claims 24 is a system claim describing features similar to those of claims 15 and 21 discussed above. For at least the reasons above, Applicants contend that independent claim 24 and depend claims 25-27 cannot be rejected based on the prior art of record.

CONCLUSION

For at least the foregoing reasons, Applicants submits that the rejections have been overcome. Therefore, all pending claims are in condition for allowance, and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

October 7, 2010

Date

/Eric S. Hiponia/

Eric S. Hiponia

Reg. No. 62,002

Attorney for Applicants

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(503) 439-8778

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

Date: October 7, 2010

/Katherine R. Campbell/

Katherine R. Campbell